

Amendments to the Drawings

The attached drawing sheet is to replace an incorrect drawing figure inadvertently included during submission, Figure 12. Applicants respectfully assert that no new matter has been entered as a result of the additional figure.

Applicants respectfully request the replacement of the original Figure 12 with the new Figure 12 as shown.

Attachment: 1 Replacement Sheet

REMARKS

Claims 1-7, 9-15 and 17-23 are rejected. Claims 1-7, 9-15 and 17-23 are currently pending in the present patent application. Applicants respectfully request further examination and reconsideration in view of the remarks set forth below.

Specification

Applicants respectfully note that numerous amendments have been made throughout the specification of the patent application in order to correct informalities that existed therein. As such, Applicants believe that the amendments herein to the patent application do not add new matter to it.

35 U.S.C. §103 Rejections

Claims 1-7, 9-15 and 17-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ausubel, U.S. Patent No. 6,021,398 (hereinafter Ausubel), in view of Rackson et al., U.S. Patent No. 6,415,270 (hereinafter Rackson), Luke et al., U.S. Patent No. 6,131,087 (hereinafter Luke) and Admitted Disclosed Prior Art (ADPA).

Applicant respectfully directs the Examiner to amended independent Claim 1 that recites an embodiment of the invention (emphasis added):

A computer implemented method for determining a preference policy for an auction to be conducted, said method comprising:
selecting characteristics of said auction to be conducted;
selecting a relevant bidding model for said auction to be conducted;
estimating a structure of said auction to be conducted, said estimating comprises expressing unobservable variables in terms of observable bids, wherein said unobservable variables are expressed in terms of observable bids by inverting said bid model;
predicting a bidding behavior for said auction to be conducted;
said outputting performed prior to conducting said auction; and
evaluating said first outcome of said auction to be conducted, wherein said evaluating comprises:

selecting an optimal preference policy from a plurality of candidate preference policies for treating different groups of bidders differently, wherein said optimal preference policy comprises the candidate preference policy within a plurality having the highest ranking; and outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction.

Applicants respectfully note that amended independent Claims 9 and 17 include similar limitations to those recited above in amended independent Claim 1. Furthermore, Applicants respectfully point out that Claims 2-7 that depend from amended independent Claim 1, Claims 10-15 that depend from amended independent Claim 9, and Claims 18-23 that depend from amended independent Claim 17, provide further recitations of features of the invention.

Applicants respectfully assert that Ausubel does not teach or suggest the above recited combination of elements as recited in amended independent Claims 1, 9 and 17. For instance, Ausubel fails to teach or suggest " predicting a first outcome of said auction to be conducted " nor does Ausubel teach or suggest "outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as claimed.

In particular, Applicants respectfully assert that Ausubel is silent as to predicting a first outcome. Applicants further assert that Ausubel describes a method of executing an auction (Abstract, line 1). Further, through multiple exemplified embodiments (Examples 1-10), Ausubel repeatedly describes determining a conclusion to an on-going auction.

As such, Applicants respectfully assert that Ausubel does not suggest, teach or describe " predicting a first outcome of said auction to be conducted " as claimed. Accordingly, Applicants further respectfully assert that Ausubel does not suggest, teach or describe "outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as claimed.

Moreover, Applicants respectfully contend that the combination of Ausubel in view of Rackson fails to teach or suggest this claim limitation because Rackson does not overcome the shortcomings of Ausubel. That is, Applicants respectfully contend that Rackson does not teach or suggest " predicting a first outcome of said auction to be conducted "nor does Rackson teach or suggest "outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as claimed. Specifically, Applicants respectfully submit that Rackson is silent to both predicting a first outcome and to outputting an optimal preference policy prior to auction.

Furthermore, Applicants respectfully assert that the combination of Ausubel in view of Rackson and Luke fails to teach or suggest this claim limitation because Luke does not overcome the shortcomings of Ausubel in view of Rackson. For example, Applicants respectfully contend that Luke does not teach or suggest " predicting a first outcome of said auction to be conducted " nor does Luke teach or suggest ""outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as claimed. Specifically, Applicants respectfully submit that Luke is silent to both predicting a first outcome and to outputting an optimal preference policy prior to auction.

Additionally, Applicants respectfully contend that the combination of Ausubel in view of Rackson, Luke and ADPA fails to teach or suggest this claim limitation because ADPA does not overcome the shortcomings of Ausubel in view of Rackson and Luke. That is, Applicants respectfully assert that ADPA does not teach or suggest " predicting a first outcome of said auction to be conducted ", nor does ADPA teach or suggest "outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as claimed. Specifically, Applicants respectfully submit that ADPA is silent to both predicting a first outcome and to outputting an optimal preference policy prior to auction.

Applicants respectfully assert that nowhere does the combination of Ausubel in view of Rackson, Luke and ADPA teach or suggest " predicting a first outcome of said auction to be conducted " nor does the combination teach or suggest "outputting said optimal preference policy to a participating entity in an auction, said outputting performed prior to conducting said auction." as recited in amended independent Claims 1, 9 and 17. As such, Applicants respectfully submit that these claims overcome the rejection under 35 U.S.C. §103(a), and are thus in condition for allowance.

With respect to Claims 2-7, 10-15 and 18-23, Applicants respectfully point out that Claims 2-7, 10-15 and 18-23 depend from allowable independent Claims 1, 9 and 17, respectively, and recite further embodiments of the present claimed invention. Therefore, Applicants respectfully submit that Claims 2-7, 10-15 and 18-23 overcome the rejection under 35 U.S.C. §103(a), and that these claims are thus in a condition for allowance as being dependent on allowable base claims.

CONCLUSION

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the remarks presented above, Applicants respectfully assert that Claims 1-7, 9-15 and 17-23 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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